

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADDING SUBSECTIONS 13.0613(ff) and 13.0613(gg) TO CHAPTER 6 OF DIVISION 3 OF TITLE I OF THE SAN BERNARDINO COUNTY CODE, RELATING TO COMPENSATION AND BENEFITS OF EXEMPT EMPLOYEES.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Section 13.0613(ff) of Chapter 6 of Division 3 of Title I of the San Bernardino County Code is added to read:

13.0613 Exempt Group Working Conditions.

(ff) VOLUNTARY TIME OFF.

Voluntary Time Off (VTO) Program is intended to provide exempt employees a means of taking unpaid time off work, without losing benefits which depend on the employee being in a paid status. The following conditions apply:

(i) VTO may be taken in the same manner as vacation time except that VTO must be used in one (1) hour increments and is limited to eighty (80) hours per calendar year.

(ii) When VTO is taken, leave accruals continue as if the employee was on paid time. VTO time counts as time worked toward satisfying the required hours to receive Benefit Plan Contributions and Medical Premium Subsidies.

(iii) VTO does not count as hours worked for purposes of computing overtime. Retirement System Contributions will only be paid if the employee is in a paid status at least forty (40) hours in any pay period in which VTO is used.

(iv) VTO may not be used for situations that would otherwise require leave without pay, such as an employee on short term disability, or in conjunction with leave without pay.

(v) VTO is an entirely voluntary program. No employee may be required to take VTO.

(vi) VTO may be taken by request of the employee and upon approval of the appointing authority.

SECTION 2. Subsection 13.0613(gg) of Chapter 6 of Division 3 of Title I of the San Bernardino County Code is added, to read:

13.0613 Exempt Group Working Conditions.

(gg) RETIREMENT INCENTIVE.

Eligible employees in identified classifications that meet the requirements for a service retirement from the San Bernardino County Employees' Retirement Association (SBCERA) and who retire on or before June 30, 2009, will be eligible to receive a retirement incentive in the amount of \$250 for each completed quarter of a year of current continuous service in a regular position with the County, payable in five (5) annual payments after retirement. Such annual payments shall be made in July of each year. The County Administrative Officer may exclude from eligibility classifications or positions assigned to organizational units that must remain filled.

Example #1: An employee who has completed 36.0 years of continuous regular County service and who has elected to retire on or before June 30, 2009 will receive \$36,000 payable after retirement in five (5) annual payments in the amount of \$7,200 per year.

Example #2: An employee retiring on or before June 30, 2009 who has participated in SBCERA for 28 years, but currently has worked 18.75 years of continuous County service in a regular position, will receive \$18,750, payable after retirement in five (5) annual payments in the amount of \$3,750 per year.

Positions that are not eligible to receive this retirement incentive are identified on the list as is on file with the Clerk of the Board of Supervisors, and as may be changed by the County Administrative Officer from time to time. The number of employees who may participate in the program is limited to no more than 5% of total

1 staff in each department, unless the County Administrative Officer waives the limit. If
2 more than 5% of the staff in a department apply for the retirement incentive, eligibility
3 for the incentive shall be based on years of current continuous service in a regular
4 position with the County. Final eligibility for the retirement incentive in those
5 departments in which more than 5% of staff apply shall be determined immediately
6 after June 30, 2009. Unless waived by the County Administrative Officer, vacant
7 positions created by those employees receiving the retirement incentive shall not be
8 filled for a period of 5 years. Alternatively, departments may fill vacated positions if
9 other positions with an equivalent cost savings remain vacant for a period of five
10 years.

11 Payments to an eligible employee under this program who returns to work for
12 the County in any capacity after retiring shall be temporarily suspended until the
13 employee again separates from employment with the County. Retirement incentive
14 payments shall not be considered compensation earnable for purposes of calculating
15 benefits or contributions for the SBCERA.

16 SECTION 3. This ordinance shall take effect immediately upon adoption
17 pursuant to the provisions of Government Code section 25123.

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21 _____
GARY OVITT, Chairman
Board of supervisors

22
23 SIGNED AND CERTIFIED THAT A COPY OF
24 THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

25 DENA M. SMITH, Clerk of the
26 Board of Supervisors
27 _____
28

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO } ss.

I, DENA M. SMITH, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the _____ day of _____, 2009, at _____ which meeting _____ were _____ present _____ Supervisors:

and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

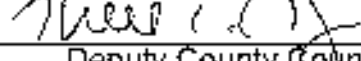
AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this _____ day of _____, 2009.

DENA M. SMITH, Clerk of the Board of Supervisors of the County of San Bernardino, State of California

Deputy

APPROVED AS TO FORM:
RUTH E. STRINGER
County Counsel

By: 
Deputy County Counsel
Date: 2/26/09